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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/785,538	02/24/2004	Frank Liebenow	P1948US00	1426
24333	7590	12/30/2004	EXAMINER DUVERNE, JEAN F	
GATEWAY, INC. ATTN: SCOTT CHARLES RICHARDSON 610 GATEWAY DRIVE MAIL DROP Y-04 N. SIOUX CITY, SD 57049			ART UNIT 2839	
DATE MAILED: 12/30/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/785,538	Applicant(s) LIEBENOW, FRANK	
	Examiner Jean F. Duverne	Art Unit 2839	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 February 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 11-20 is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>2/24/04</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION***Claim Rejections - 35 USC § 102***

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-2, 8-9 are rejected under 35 U.S.C. 102(e) as being anticipated by Corisis et al (US 2001/0012716A1).

Corisis' device discloses an add-on circuit card retention apparatus comprising:
an add-on circuit card (50) having a face generally defining a reference plane, said add-on circuit card (10) having a first connector (12);
a second circuit card (22) having a second connector for mating with said first connector to provide electrical contact between said add-on circuit card and said second circuit card; a clip assembly (20) for releasably securing said add-on circuit card to said second circuit card, said clip assembly comprising: a first catch member located on said add-on circuit card mating with said second connector, said first catch member having a first catch surface, said first catch surface generally lying in a plane forming a first catch member angle with respect to said reference plane of less than 90 degrees; and a second catch member being formed the first card side surface having a projecting area at 14 and located on said second connector and extending along said second connector, said second catch member having a second catch surface extending away from said second connector, said second catch surface generally lying in a plane forming a second catch member angle with respect to said reference plane of less than

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90 degrees when said first connector of said add-on circuit card is in a mated condition with said second connector; wherein said clip assembly further includes a first member extending from said add-on circuit card and a second member extending from said first member to a position near said second connector when said first connector of said add-on circuit card is mated with said second connector of said second circuit card, said first catch member being mounted on said second member (see fig. 4); wherein said second connector has a side, and said second catch member is located on said side of said second connector (see fig. 4); wherein said clip assembly is substantially rigid (see fig. 4)

In regard to claims 3-5, Corisis' device discloses the aforementioned limitations, but fails to explicitly disclose the exact size of the angles for the catch members. It would have an obvious matter of design choice to have the catch members at specific angles, since such a modification would have involved a mere change in size of a component. A change in size is generally recognized as being within the level skill of art. In re Rose, 105 USPQ 237 (CCPA 1955). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have the catch members at specific angles in order to meet the system design and requirement in Corisis' device; wherein said second circuit card is a personal computer motherboard; wherein said first connector is a printed circuit card edge connector and said second connector conforms to the Personal Computer Interconnect (PCM standard) : see page 2, col. 1, paragraph 0019-0020.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 7, 10-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Corisis et al (US 2001/0012716A1).

In regard to claims 10-11, Corisis' device discloses the aforementioned limitations, but fails to explicitly disclose different standards such as ISA, 3GGIO, and the material of which the clip is made of. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have the edge connector follow different standards or the clip being made with rigid material, since it has held to be within the general skill of a worker in the art to select known material on the basis of its suitability for the intended used as a matter of obvious design choice. In re Leshin, 125 USPQ 416. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have the edge connector follow different standards or the clip being made with rigid material in order to meet the system design and requirement.

Conclusion

4. Claims 12-20 are allowable. Prior art fails to disclose the combination features the method of exerting pressure on the clip assembly, maneuvering the first catch in

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alignment with the second catch releasing the pressure on the clip assembly such the first catch surface of the first member on the first connector contacts the second surface of the second catch member on the second connector to retain the first connector in the second connector with rest of the claim limitations.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean F. Duverne whose telephone number is (571) 272-2091. The examiner can normally be reached on 9:00-7:30, Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, TC Patel can be reached on (571) 272-2098. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JFD

12/22/2004



Jean Frantz Duverne
Primary Examiner
Art Unit 2839